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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,285	12/02/2003	Tsuyoshi Watanabe	65933-054	1820

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McDERMOTT, WILL & EMERY
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Washington, DC 20005-3096

EXAMINER

TSUI, DANIEL

ART UNIT	PAPER NUMBER
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2185

MAIL DATE	DELIVERY MODE
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07/02/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/725,285	Applicant(s) WATANABE ET AL.	
	Examiner Daniel Tsui	Art Unit 2185	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,9,10 and 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,9,10 and 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The amendments to the specification and title have been considered and accepted by the examiner. The objections to the title and specification have been withdrawn in view of the amendments.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Line 5 of claim 1 describes, "...wherein the write-start address..." It is unclear which write-start address "*the* write-start address" is referring to as there are plural write-start addresses described earlier.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
5. Claims 1-7, 9, 10, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakahashi (US 5,319,457) in view of Imaizumi (US 6,816,618).

As per claim 1, Nakahashi teaches a method including:

specifying the size of processed data deriving from each data block when a predetermined processing (encoding) is performed, in parallel (see figure 1; and column 2, lines 48-49; the amount of coded data is calculated), on a plurality of data blocks (see column 3, lines 64-66; and column 4, lines 3-10).

The reference does not teach specifying a write-start address for the plurality of data blocks by sequentially adding the size specified by said specifying the size, wherein the write-start address is used when the processed data deriving from each data block is written to a memory. Imaizumi teaches a variable length image coding apparatus that specifies a write-start address dependent upon a size of data to write data to a memory (see column 25, lines 39-44; the area to which the image can be consecutively written is an attribute of the data's size). It is obvious that adding the size is an operation that needs to be performed for the calculation in order to determine how much space is needed. Therefore it would have been obvious at the time the invention was made for a person of ordinary skill in the art to include a step of specifying a write start-address for the plurality of data blocks by sequentially adding the specified size so that the system will know where to start writing the data to the memory and ensure that the memory has enough space for the data to be written to.

As per claim 4, Imaizumi teaches the address specifying to be used for determining an address where all the data can be written consecutively into the memory (see column 25, lines 40-41). Therefore it would have been obvious for the specifying a write-start address to be such that the processed data deriving from the plurality of data blocks are stored in a continuous manner at the time when the writing the processed

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data has been completed. This would ensure that all the processed data can be located easily since they would all be stored near the same location.

As per claim 5, the combination of Nakahashi and Imaizumi teach the address specifying unit as applied in the rejection to claim 1 above. Nakahashi also teaches a write control unit which writes, in parallel, to the memory (coder buffer memory 115, see figure 1) the processed data deriving from the plurality of data blocks (multiplexer 114, see column 2, lines 49-52).

As per claim 10, Nakahashi teaches a coding apparatus that has a plurality of encoders which perform, in parallel, variable-length coding on a plurality of data blocks (see figure 1; and column 1, lines 44-47). The combination of Nakahashi and Imaizumi teach an address specifying unit as applied in the rejection to claim 1 above. The combination also teaches a write control unit as applied in the rejection to claim 5 above.

As per claims 2, 3, 6, and 7, Nakahashi teaches the predetermined processing to be variable-length coding (see column 1, lines 45-46).

As per claims 9 and 12, as applied in the rejection to claim 4 above, the combination of references teaches the write control unit realizing a state in which the processed data deriving from the plurality of data blocks are stored in the memory in a continuous manner at the time when writing the processed data has been completed.

Response to Arguments

6. Applicant's arguments filed March 28, 2007 have been fully considered but they are not persuasive.

7. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., calculating a write address dependent on data amount such that write data will be written in a memory in a *continuous manner*) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The claim only requires that the write-start address are specified by sequentially adding the specified size. For the reasons explained in the rejection above, the teachings of the references in combination make this limitation obvious.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Tsui whose telephone number is (571)270-1022. The examiner can normally be reached on M through F, 8:00-4:30 (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sanjiv Shah can be reached on (571)272-4098. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DT

Daniel Tsui
Patent Examiner
Art Unit 2185

GARY PORTKA
PRIMARY EXAMINER

Gary Portka